IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 350 (MS) OF 2006

Islam, son of Sultan Ahmed,
R/o Village-Kotwal,
Alampur, Pargana-Manglore,
Tehsil-Roorkee,
District-Haridwar. .....Petitioner.

Versus

1. District Deputy Director of Consolidation/Collector Haridwar.
2. Bhartu,
3. Surendra,
4. Palloo,
5. Jinnoo,
   All sons, of late Sri Nihal,
6. Risaal, S/o Manglu,
7. Bhollar, S/o Lakhmeer,
   Resident of Village-Kotwal,
   Alampur, Pargana – Manglore,
   Tehsil-Roorkee, District Haridwar. ...Respondents.

Dated: 10.04.2006

Hon'ble Rajesh Tandon, J.

Heard Sri A.K. Sharma, learned counsel for the petitioner and learned Standing Counsel.

By the impugned order, the interim order granted by the Revisional Court dated 3rd January, 2004 has been vacated and the present writ petition has been filed challenging the said order.

The petitioner has preferred the objection under Section 21 (2) of the Consolidation of Holdings Act. Against the order dated 24.04.2003 passed by the Consolidation Officer, an appeal was preferred before the Assistant Settlement Officer of Consolidation, Roorkee. Thereafter the petitioner has preferred a revision after the dismissal of the appeal on 16.06.2003. A restoration application filed by the petitioner was also rejected on 16.12.2003. Against the orders dated 16.06.2003 and 16.12.2003, the petitioner preferred a revision before the respondent no. 1 being Revision No. 446 of 2003/2004.

On 3rd January, 2004 an order was passed maintaining the status quo and the same has been vacated on 30.12.2005.

Short grievance of the petitioner is that let the revision be decided within a period of six weeks as the revision relates to the year, 2003.

However, the writ petition is not maintainable against the order dated 30.12.2005 passed by the respondent no.1.

In view of the above, the authority concerned is directed to decide the revision no. 446 of 2003/2004 within a period of six weeks. Till the disposal of the revision, the order dated 3rd January, 2004 shall continue.

Writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

10.04.2006
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